UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

STEVE CHAMBERS, ET AL, v. WHIRLPOOL CORPORATION, ET AL.	No. 16-56686 D.C. No. 8:11-cv-01733-FMO-JCG U.S. District Court for Central California, Santa Ana **UNOPPOSED MOTION TO DISMISS APPEAL WITH PREJUDICE**

Comes now Appellant Kelly Kress and pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure and hereby moves to dismiss her appeal with prejudice. Appellant states that the issues she intended to address are being raised by Appellees Whirlpool Corporation, Sears Holding Corp., and Sears, Roebuck and Co., in Appeal No. 16-56684 and, therefore, Appellant Kelly Kress no longer wishes to proceed with her appeal which would simply raise duplicative issues. This motion is not made pursuant to any settlement agreement and no consideration has been paid to secure the dismissal of this appeal.

WHEREFORE, Appellant Kelly Kress hereby requests that the Court grant her motion to dismiss her appeal with prejudice with all parties to bear their own costs and fees.

Respectfully submitted,

s/Steve A. Miller
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record via CM-ECF filing on this the 30th day of November, 2016.

s/Steve A. Miller